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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:

Edward O. Clapper

Art Unit: 2673

Serial No.: 09/526,780

Examiner: Nitin Patel

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Atty Docket: ITL.0359P1US
P7596X

For: Controlling Wireless Peripherals
For Processor-Based Systems

Board of Patent Appeals & Interferences
Commissioner for Patents
Washington, D.C. 20231

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APPEAL BRIEF

Sir:

Applicant respectfully appeals from the final rejection mailed November 18, 2002.

I. REAL PARTY IN INTEREST

The real party in interest is the assignee Intel Corporation.

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II. RELATED APPEALS AND INTERFERENCES

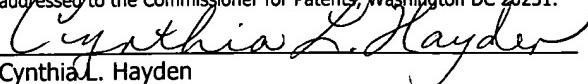
None.

III. STATUS OF THE CLAIMS

Claims 1, 6-10 are rejected. Each rejection is appealed.

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Date of Deposit: February 5, 2003
I hereby certify under 37 CFR 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington DC 20231.

Cynthia L. Hayden

IV. STATUS OF AMENDMENTS

All amendments were entered.

V. SUMMARY OF THE INVENTION

A wireless peripheral device 10, shown in Figure 1, for use with a processor-based system (not shown in Figure 1) includes at least one keyboard 12 having keys which may be utilized to generate input commands for a processor-based system. The wireless peripheral device 10 may include a first wireless interface 16 and a second wireless interface 18.

In one embodiment of the present invention, a single keyboard, such as the keyboard 12, may be provided. Operation of the same key may result in the generation of a different command through each interface 16 and 18. In one embodiment of the present invention, each of the interfaces 16 and 18 points more directly at the processor-based system when the device 10 is in an orientation dedicated to a function implemented by a particular interface 16 or 18.

That is, depending on the orientation of the device 10, one of the interfaces 16 or 18 is pointed at a receiver on a processor-based system and the other of the interfaces is pointed away from the receiver. If the power of the interface is not too great, the signal from the interface pointed directly at the receiver will be recognized by the receiver and the signal from the other interface will be ignored. See specification at page 2, line 18 through page 3, line 21.

In other embodiments of the present invention, two separate keyboards may be provided, for example, on opposite sides of the device 10. Thus, in one embodiment of the present invention, a keyboard 12 may be provided on one side and a keyboard 14 may be provided on the other side. The keyboard 14 may operate the interface 18 and the keyboard 12 may operate the interface 16. In one embodiment of the present invention, the device 10 implements the functions of a remote control unit and a keyboard.

A different set of keys 20 may be provided, in one embodiment of the present invention, to implement each desired functionality. Thus, with the device 10 positioned upside down as shown in Figure 2, the keyboard 14 may be exposed and the interface 18 may be directed towards the controlled processor-based receiver 27. In one embodiment of the present invention, a reduced sized keyboard 14, such as a qwerty keyboard, may be utilized to provide a compact arrangement. Thus, with the device 10 in the orientation shown in Figure 2, keyboard commands, indicated by the signal A, are issued through the interface 18 to the processor-based receiver 27. See specification at page 3, line 22 through page 5, line 2.

At the same time commands inadvertently entered on the keyboard 12 are developed by the interface 16. However, since the interface 16 is angled away from the receiver 27, they are not received at the receiver 27. Thus, with the keys 20 oriented properly relative to the user, the interface 18 is automatically aligned to control the receiver 27. Conversely, the interface 16, controlled by the keyboard 12 is misaligned relative to the receiver 27.

In the orientation shown in Figure 3, the keyboard 12 is upwardly pointing and the interface 16 is directed toward the processor-based receiver 27. As a result, the signal B issued by the device 10 is detected by the processor-based receiver 27 and is utilized as an input command.

The signal provided by the interface 18 is directed transversely relative to the receiver 27 when the keyboard 12 is oriented properly relative to the user. In such case, the signal from the interface 18 does not control the receiver 27.

Thus, the user can reorient a single device and can thereby automatically obtain two or more functionalities from the same device 10. In some cases, two keyboards may be provided on

opposed sides but in other cases, a single keyboard may provide different functionalities depending on its orientation. See specification at page 5, line 3 through page 6, line 6.

VI. ISSUES

A. Is Claim 1 Anticipated by Brusky?

VII. GROUPING OF THE CLAIMS

For convenience on appeal, all of the claims may be grouped with claim 1.

VIII. ARGUMENT

A. Is Claim 1 Anticipated by Brusky?

Claim 1 calls for a pair of wireless interfaces that transmit wireless signals directed at sufficiently spaced angles with respect to one another to enable said receiver to distinguish one of said signals from the other of said signals.

Brusky does not teach generating a pair of signals or generating two signals at a sufficiently spaced angle that the receiver can distinguish one from the other. The idea is that, depending on the orientation of the remote control, the system can detect key actuations as one or the other of at least two types of signals.

While Brusky does indicate that his keyboard can operate as a mouse or a keyboard, as indicated in the office action, this does not indicate that two different signals are produced. Instead, the same keys produce the same wireless interface signals. There are not signals generated by two different wireless interfaces at spaced angles sufficient to enable those signals to be differentiated.

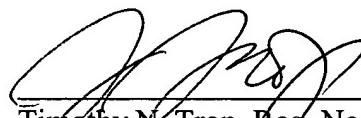
In such case, the single keyboard operates in different functionalities by detecting the orientation of the housing. Thus, two different keyboards are not needed as described in the cited references. As pointed out by the Examiner in paragraph 2 of the office action, Brusky teaches a "keyboard being situated on each of said sides". In addition, Brusky does not teach detecting the orientation of the housing in order to determine the functionality of either keyboard, much less a single keyboard.

Therefore, claim 1 patentably distinguishes over the Brusky reference.

IX. CONCLUSION

Applicant respectfully requests that each of the final rejections be reversed and that the claims subject to this Appeal be allowed to issue.

Respectfully submitted,



Date: February 5, 2003

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APPENDIX OF CLAIMS

The claims on appeal are:

1. A wireless peripheral for a receiver comprising:
 - a housing;
 - only one keyboard defined on said housing, said keyboard providing different functionalities depending on the orientation of said housing; and
 - a pair of wireless interfaces that transmit wireless signals directed at sufficiently spaced angles with respect to one another to enable said receiver to distinguish one of said signals from the other of said signals.
6. The peripheral of claim 1 including a controller coupled to said interfaces and said keyboard.
7. The peripheral of claim 6 wherein said wireless interfaces are infrared interfaces.
8. The peripheral of claim 1 wherein said interfaces are angled sufficiently such that only one of said signals is detected by said receiver.
9. The peripheral of claim 8 wherein said interfaces are oriented to generate wireless signals at an angle of greater than 45° from one another.

10. The peripheral of claim 1 wherein said keyboard has at least two different orientations, such that when said keyboard is arranged relative to a user in each of said orientations, a different one of said interfaces is aligned with said receiver.